

REMARKS

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claim Rejections under 35 USC § 102

Claims 1-3, 5-13 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mansfield (US 6,704,346). Applicants respectfully traverse these rejections.

To anticipate a claim, the reference must teach each and every limitation of the claim. MPEP §2131. As to claim 1, Mansfield does not teach every limitation of the claim.

In rejecting claim 1, the Examiner has stated that Mansfield teaches:

“mapping the original frequency to the desired frequency type when the original frequency is not the desired frequency type (column 3 lines 1-26, column 7 lines 28-67, column 9 lines 5-50, and column 11 line 13 — column 12 line 39, where the undesired frequency type is the “bad” or “distressed” channel frequencies that been stored or mapped in the “blacklist” or “bad” list (Fig.5 element 3636)).”
(Emphasis in original)

Applicants respectfully point to the Examiner there is a distinct, clear, and fundamental difference between what is recited in claim 1 and described by Mansfield.

First, Mansfield does not teach mapping hopping frequencies to desired frequencies. Instead, Mansfield actually “avoids” bad channel. Here is how Mansfield does it:

When the look-ahead frequency selector 32 of Mansfield determines that the next hopping frequency will be a bad channel, then it changes the size of the packet that is being transmitted in the good channel that is just before the bad channel. It is well known in the art and explained by Mansfield in col. 5, line 32 – col. 6, line 6, that when a packet size is longer than the BT time slot (625 msec), then BT continues to use the same RF channel until the entire packet is transmitted. Because Mansfield knows the bad channel ahead of transmission, it changes the packet length to avoid using the bad channel. When the longer packet is transmitted,

the slot for the bad channel is passed and the next good channel is available for transmission of the next packet. With this algorithm, if more than one bad channel are back-to-back on the hopping sequence, then Mansfield just prolongs the packet transmission until all bad channels are avoided.

In a complete contrast, claim 1 recites mapping the original frequency to the desired frequency type when the original frequency is not the desired frequency type. Mansfield clearly does not teach this limitation. Accordingly, claim 1 and those depend therefrom are patentably distinguishable from the combination of cited reference.

Applicant believes this application and the claims herein to be in a condition for allowance and respectfully requests that the Examiner allow this application to pass to the issue branch. Please charge any additional fees, or credit overpayment to Deposit Account No. 20-0668. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,

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